

EXHIBIT 2

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ROSS DRESS FOR LESS, INC.,

Plaintiff,

v.

ML DEVELOPMENT LP,

Defendant.

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CIVIL ACTION NO.

4:20-cv-00978

DECLARATION OF DANIEL LAMPERT

I, Daniel Lampert, declare the following pursuant to 28 U.S.C. § 1746:

1. I am over eighteen years of age, of sound mind, and have never been convicted of a felony or offense involving moral turpitude. I am competent in all respects to make this declaration (“**Declaration**”). I make this Declaration based on my personal knowledge in support of Ross’s Supplement in Support of Plaintiff’s Motion for Attorneys’ Fees and Expenses.

2. I am the Director of Revenue Operations at Weil, Gotshal & Manges LLP (“**Weil**” or the “**Firm**”). I have served in this position since March 2020. Together with others at Weil and subject to Weil Management Committee review and approval, I am responsible for, among other things, setting the hourly rates of attorneys and support staff and ensuring that those rates are reasonable and consistent with market standards.¹

3. To ensure that Weil’s billing rates are consistent with market standards, the Firm considers multiple factors, including, among other things, non-public data about rates at similarly situated competitor firms. One source of such non-public data is the Revenue Management Report

¹ Billing rates for partners and counsel are set on an individual basis. Billing rates for associates are set on the basis of years of experience.

published by PricewaterhouseCoopers (“PWC”). PWC’s Revenue Management Report is created based on data collected from PWC’s proprietary Billing Rate & Associate Salary Survey (“BRASS”). BRASS collects billing rate information of attorneys and staff from subscribing law firms across the nation. Weil is a recipient of PWC’s 2021 Revenue Management Report (the “PWC Report”). In generating a report for hourly billing rates, the results compiled from BRASS can be limited by the calendar year, type of practice (*i.e.*, litigation, corporate, etc.), locality, and law firm.

4. Attached as Exhibit A to this Declaration, and fully incorporated herein, are true and correct excerpts of the PWC Report that I requested be generated from the data collected by BRASS. In generating the PWC Report, I limited the results to: attorneys and staff practicing non-IP litigation in the city of Houston, Texas for the calendar year 2021. I further limited the results to the following Houston-specific Peer Firm Group: Gibson, Dunn & Crutcher LLP; Baker Botts L.L.P.; Vinson & Elkins LLP; Latham & Watkins LLP; Kirkland & Ellis LLP; Quinn, Emanuel, Urquhart & Sullivan, LLP; Hunton Andrews Kurth LLP; Akin, Gump, Strauss, Hauer & Feld LLP; Jones Day; and Shearman & Sterling LLP. Although the PWC Report is for the 2021 calendar year and contains 2021 hourly billing rates, it is based primarily on 2020 data.

5. I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 5, 2022, in New York, New York.


Daniel Lampert

EXHIBIT 2-A

**EXCERPTS OF THE
PRICEWATERHOUSECOOPERS,
2021 REVENUE MANAGEMENT REPORT**

FILED UNDER SEAL